

You should know...



North Dakota Public Service Commission

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North Dakota Public
Service Commission

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Protection from Electric and Natural Gas Disconnections

Avoid the hardships caused by gas and electric shut-offs. Customers have rights. Most utility companies will work with customers to avoid loss of service, and Commission rules require that you be notified in writing prior to disconnection of service.

The Public Service Commission has rules in place to protect North Dakotans who may have difficulty paying their residential utility bills. These rules:

- Require that you be notified in writing at least ten days in advance of the day the utility plans to disconnect the service. Written notice must be given by mail in most cases, however, personal notice by delivery is required for customers who have a disability or are age 65 or older.
- Prohibit disconnection on weekends, Fridays, state holidays, the day before a state holiday or after 12 noon on any day.
- Provide an opportunity for you to pay off a delinquent amount before disconnect.
- Provide an opportunity for you to work out a monthly payment plan for a delinquent account.
- Allow you to postpone disconnect for up to 30 days if you advise the utility during the 10 day notice period that dangerous health conditions exist, or you are age 65 or older, or you are a person with a disability.
- Allow you to register with the utility before any disconnect problem develops if you are age 65 or older, or you are a person with a disability, or you have an emergency medical problem in your household. **Notices of this option are mailed by the utility to each customer each Fall, or a notice form can be obtained by calling the utility.**
- Prohibit disconnect for nonpayment of any amount that is not for utility service.
- Prohibit disconnect for nonpayment of a deposit.
- Prohibit disconnect for nonpayment of merchandise purchased from the utility.
- Prohibit disconnect for failure to pay for service rendered to a previous occupant of the premises.
- Require that a landlord who includes the cost of utilities in the rent and receives a disconnect notice, notify the affected tenants in writing, at least 10 days prior to the proposed disconnect date, and require that the utility allow each affected tenant to apply for utility service in the tenant's own name.
- **DO NOT PROHIBIT disconnect during winter months, as long as the other protections are followed.**

Customers who have contacted their electric or natural gas company to discuss disconnection of service and who feel that they are not being afforded these protections should call the Commission at 701-328-2400 and ask for the Public Utilities Division.

The reader agrees that use of this information is entirely at the customer's own risk. The Public Service Commission's services are provided "as is," without warranty of any kind, either expressed or implied, including without limitation any warranty for information provided through or in connection with this service.

Protection from Electric and Natural Gas Disconnections

(cont.)

Are all natural gas and electric utilities covered?

Investor-owned utilities must follow these rules. These are NSP d/b/a Xcel Energy, Montana Dakota Utilities, Great Plains Natural Gas Company and Otter Tail Power Company. Municipal utilities and rural electric cooperatives are not required to follow Commission rules, but may have similar protections in place for their customers under their own policies.

What happens if I can not make my payments as arranged?

If you are unable to make your payments, call the utility immediately to make new arrangements. If you fail to make your arranged payments, your service may be cut off without further notice.

What if I am away temporarily or have problems reading or understanding notices from my utility?

You can apply for the "Third Party Notice" option. This allows you to arrange for another person to get a copy of any disconnection notice and other important information at the same time that you get it. The other person may be a friend, family member, or anyone who is willing to help manage your mail and help you understand the notices.

What needs to be paid to reconnect service?

If your service is disconnected for nonpayment of a bill, you must pay the following in order to reconnect service:

- A reconnection fee, as established in the utility's rate schedules;
- A deposit, if all or part of the previous deposit was used in settlement of the delinquent bill;
- A satisfactory settlement for the delinquent bill and for service rendered between the last meter reading date and the date service was disconnected.

What assistance is available to help pay electric and natural gas bills?

You may apply for Energy Assistance through your county Social Service Office or your Tribal Social Service Office. Other community social service organizations may also offer assistance.

Disputed Bills

In the event you dispute the amount of a bill for service, you may, to prevent disconnection for nonpayment, pay the disputed bill under protest. Alternatively, you may request a formal hearing with the Commission, in which case the utility may not disconnect service for non-payment of the disputed bill until a final decision has been issued by the Commission. The utility must immediately give the Commission notice of the dispute, and the Commission may investigate the dispute. The utility must refund any part of any payment made under protest found by the Commission to be excessive.

Applicable Rules

North Dakota Administrative Code Section 69-09-01-18 (for natural gas service) and Section 69-09-02-05.1 (for electric service) govern these protections.